

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION

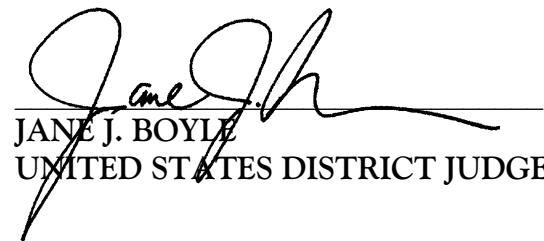
SEAN WEISNER, §  
Petitioner, §  
§  
v. § No. 3:20-cv-3767-B (BT)  
§  
COURT OF APPEALS, §  
Respondent. §

**ORDER ACCEPTING FINDINGS, CONCLUSIONS, AND RECOMMENDATION OF  
THE UNITED STATES MAGISTRATE JUDGE**

The United States Magistrate Judge made findings, conclusions, and a recommendation in this case. Sean Weisner, the petitioner for a writ of mandamus, filed no objections. The District Court reviewed the proposed Findings, Conclusions, and Recommendation for clear error. Finding no error, the Court **ACCEPTS** the Findings, Conclusions, and Recommendation of the United States Magistrate Judge. It is accordingly **ORDERED** that the petitioner's "Motion to [sic] Leave for Extension of Time for Payment to be Received" (doc. 9) and "Motion for Leave to Resubmit Petition with Brief in Support" (doc. 10), construed collectively as a motion to alter or amend the judgment pursuant to Federal Rule of Civil Procedure 59(e), is **GRANTED** and the Court's February 19, 2021 Judgment (doc. 8) is hereby **VACATED**. However, the Court determines that it nevertheless lacks subject matter jurisdiction over Weisner's petition; thus, **IT IS FURTHER ORDERED** that his petition is **DISMISSED WITHOUT PREJUDICE**.

SO ORDERED.

DATED: May 4<sup>th</sup> 2021.



JANE J. BOYLE  
UNITED STATES DISTRICT JUDGE